

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)

No. 3:10-cr-00260

v.)

JUDGE WILLIAM J. HAYNES, JR.

ABDOFATAJ JAMA ADAN, et al.)

JD2'S MOTION PURSUANT TO 18 U.S. § 3509
TO PROCEED IN OPEN COURT
ACCOMPANIED BY ADULT ATTENDANT

COMES NOW JD2, by and through undersigned counsel, and respectfully submits this Motion Pursuant to 18 U.S.C. § 3509 to Proceed in Open Court Accompanied by an Adult Attendant.

Section 3509 of the United States Code ("§ 3509") sets forth certain protections to which child victims of crimes are entitled. Subsection (e) of § 3509 provides in pertinent part that, when a child testifies in court, the court may exclude from the courtroom "all persons, including members of the press, who do not have a direct interest in the case." Subsection (i) provides as follows:

(i) Adult Attendant.— A child testifying at or attending a judicial proceeding shall have the right to be accompanied by an adult attendant to provide emotional support to the child. The court, at its discretion, may allow the adult attendant to remain in close physical proximity to or in contact with the child while the child testifies. The court may allow the adult attendant to hold the child's hand or allow the child to sit on the adult attendant's lap throughout the course of the proceeding. An adult attendant shall not provide the child with an answer to any question directed to the child during the course of the child's testimony or otherwise prompt the child. The image of the child attendant, for the time the child is testifying or being deposed, shall be recorded on videotape.